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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appn. Number 09/872,914
Appn. Filed 06/01/2001
Applicant Ferdinand Schermel
Title Tilttable Modular Recycle Container System
Examiner Stephen J. Costellano
Art Unit 3727

OFFICIAL

AMENDMENT # UNDER RULE 116

Oct 25, 2003

Assistant Commissioner for Patents
Washington, D C. 20231

total no. of pages of text 67
total no. of pages of drawing 2

Sir:

In response to the Office Action mailed 08/26/2003,

The applicant is filing a proposed amendment to the claims and specification to be considered.

The applicant is unclear to the date of reduction to practice of the details of the Tiramani patent since the reference has a Date of Patent of Jan 23/2001 which is more than one year and four months after the Applicant's Provisional patent filing date of June 6/2000. Although the filing date of Tiramani is earlier, it is unknown what changes and additions were made.

The applicant demonstrates that the prior art is overcome by the clarification of the terms and claims the arguments that define the invention over the existing art. Applicant has a limited ability in understanding patent terminology due to this being the first application. Applicant's slowness in grasping the concepts makes phone conversations difficult without first reading the specific arguments by the examiner towards the specific arguments put forth in this response to the office action date mailed 08/26, 2003. Applicant requests that the examiner provides written specific details regarding the issues of any further rejections, if any objections still remain after these changes, in order to determine the future course of action.

General Remarks

The applicant does not possess the finer literary skills to express tone and diplomacy, and would like to sincerely state that it is not intended for any of the following arguments to be condescending or disrespectful in any way.